

REMARKS

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of February 5, 2009. Claims 7-18 stand rejected. Claim 7 has been amended. In addition, detailed arguments in support of patentability are presented.

Reexamination and/or reconsideration of the application as amended are respectfully requested.

I. Summary of the Office Action

Claims 7-14 and 17-18 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 of copending Application No. 10/534,219.

Claims 7-12 and 14-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged Applicant Admitted prior art (hereinafter "AAPA") in view of Okamoto (English abstract and machine translation of JP11-147236) (hereinafter "Okamoto").

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Okamoto as applied to claim 11, and further in view of John Myers (NPL document XP 000518931) (hereinafter "Myers").

II. The Drawings

The drawings are objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they do not include reference character 88, which appears on page 9, line 22 in the specification. By the amendment to the specification contained herein, reference character 88 has been deleted. As such, the objection to the drawings should be removed.

III. Election/Restriction

The Examiner requires a restriction under 35 U.S.C. 121 and 373 to a single invention to which all claims must be restricted. Applicant affirms the provisional election made without traverse during a telephone conversation on 08/28/08, electing group III claims, 7-18. As such, claims 1-6 have been withdrawn.

Applicant retains the right to continue prosecution of the unelected claims (i.e., claims 1-6) in one or more continuation or divisional applications.

IV. Double Patenting

Claims 7-14 and 17-18 are provisionally rejected on the grounds of non-statutory obviousness type double patenting as being unpatentable over claims 1-3 of co-pending Application No. 10/534,219. Applicant asserts that a terminal disclaimer is being filed herewith. As such, the rejections should be withdrawn.

V. Rejection of Claims 7-12 and 14-18 Under 35 U.S.C. 103(a)

Claims 7-12 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over alleged Applicant Admitted prior art (AAPA) in view of Okamoto (English Abstract and machine translation of JP11-147236). Applicant submits that this rejection should be withdrawn for at least the following reason. AAPA and Okamoto do not, individually or in combination, teach or suggest the invention as set forth in the subject claims.

As amended, independent claim 7 recites a method for ensuring the quality of in-mold coated thermoplastic parts. The method includes conducting at least one in-mold trial run that includes coating a thermoplastic substrate with an in-mold coating using a particular mold and polymeric material; determining optimal parameters that result in defined quality control standards, including one or more of lack of adhesion, lack of scratch resistance, surface imperfections, and lack of adequate coating coverage; recording said optimal parameters for said particular mold and polymeric material using a data collection means; manufacturing an in-mold coated thermoplastic part by molding a thermoplastic using a first set of process conditions in a closed mold to form a substrate and subsequently contacting an in-mold coating with the substrate by injecting an in-mold coating into the closed mold; inspecting the coated thermoplastic part; determining whether the molding of the thermoplastic should be optimized for failure to meet defined quality control standards; optimizing the process conditions of the molding of the thermoplastic by adjusting one or more of injection volume, injection temperature, injection pressure, and molding pressure; determining whether the coating of the substrate should be optimized for failure to meet defined quality control standards; and optimizing the process conditions of the coating of the substrate by adjusting one or more of cure time, injection time, injection pressure, injection volume, injection temperature, or mold

temperature at injection for said in-mold coating. Support for the amendments can be found on page 16, line 31-page 17, line 3; page 17, lines 21-30; page 18, lines 9-18; and page 18, line 27-page 19, line 4. Applicant asserts that AAPA and Okamoto do not, individually or in combination, teach or suggest the forgoing method of claim 7.

Particularly, Okamoto does not teach or suggest ensuring quality control of in-mold coated thermoplastic parts that includes conducting at least one in mold coating trial run with a particular mold and polymeric material, determining and recording optimal parameters that result in defined quality control standards, including one or more of lack of adhesion, lack of scratch resistance, surface imperfections, and lack of adequate coating coverage. Okamoto teaches a method for minimizing skin material damage. The skin material is inserted into a molding apparatus and a thermoplastic part is manufactured. An operator then carries out a visual external appearance quality inspection and a quality determination is made [0016]. The operator then inputs the quality determination result into a molding apparatus, which automatically determines and selects the value that should be corrected to obtain proper goods. Okamoto does not teach to determine and record, during at least one trial run with a particular mold and material, optimal parameters that result in at least proper adhesion, scratch resistance, surface quality, and coverage. Such quality control requirements are determined by a physical, not simply visual inspection as Okamoto described (See paragraph [0009]. Okamoto states explicitly that the determination of process needs to be changed depends on a visual external appearance quality decision [0009]. Applicant asserts that the cited quality control parameters of the subject claims require more than a visual inspection. Rather, the inspection must be over the physical properties of the in-mold coated part.

Additionally, Applicant asserts that the Okamoto fails to teach optimizing the coating of the substrate by adjusting one or more of cure time, injection time, injection pressure, injection volume, injection temperature, or mold temperature. Okamoto explains the variables considered when optimizing the appearance of a molded product, including the amount of injection fill, injection pressure, and/or core material resin temperature. As such, Okamoto fails to provide any teaching or suggestion provided by Okamoto that would lead one skilled in the art to adjust variables to improve the appearance of a mold coating. This is even further illustrated by the fact that the subject claim includes one or more quality control standards specific to a substrate with a coating (e.g., adhesion, scratch resistance and coverage). To achieve such standards for the

coating of the substrate, the possible variables to be adjusted include one or more of cure time, injection time, injection pressure, injection volume, injection temperature, or mold temperature at injection of the in-mold coating. Okamoto does not teach optimizing coating standards, nor would such be possible from the Okamoto disclosure since there are other variables that go into optimizing coating not covered by Okamoto.

For at least the aforementioned reasons, Applicant asserts that AAPA and Okamoto do not, individually or in combination, teach or suggest each feature of independent claim 7, along with claims 6-12 and 14-18 that depend therefrom. As such, Applicant respectfully requests withdrawal of the rejection.

VI. Rejection of Claim 13 Under 35 U.S.C. 103(a)

Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Okamoto as applied to claim 11, and further in view of John Myers (NPL document XP 000518931). Applicant respectfully traverses the rejection for at least the following reason. AAPA in view of Okamoto and further in view of John Myers do not, individually or in combination, teach or suggest the features of claim 13.

Claim 13 depends from and includes all the limitations of independent claim 7, which is distinguishable from AAPA in view of Okamoto as stated above, John Myers does not make up for the aforementioned deficiencies of APPA and Okamoto. As such, the rejection should be withdrawn.

CONCLUSION


For at least the reasons detailed above, it is respectfully submitted that all claims remaining in the application (claims 7-18) are now in condition for allowance.

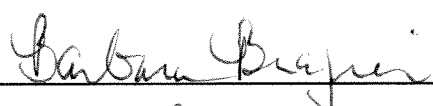
Respectfully submitted,

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April 29, 2009

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